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IN THE CLAIMS:

Claim 1 (Cancelled)

2. (Currently amended) The implant of claim 21, ~~claim 1~~, wherein said body is formable between a first condition and a second condition, said body being formed to said second condition for attachment to the first and second vertebrae and reforming toward said first condition from said second condition to continuously distract the first and second vertebrae when attached thereto.

3. (Original) The implant of claim 2, wherein said body is formable by compressing said body between said first and second ends.

4. (Original) The implant of claim 2, wherein said body comprises a shape memory material, said body being formable by changing a phase of said shape memory material.

5. (Currently amended) The implant of claim 21, ~~claim 1~~, wherein said first end of said body includes a first hole for receiving a first bone anchor engageable to the first vertebra and said second end includes a second hole for receiving a second bone anchor engageable to the second vertebra.

6. (Withdrawn) The implant of claim 5, wherein said body includes at least one reinforcement member embedded therein adjacent at least one of said first and second openings.

7. (Withdrawn) The implant of claim 6, wherein said at least one reinforcement member extends at least partially around said adjacent opening.

8. (Currently amended) The implant of claim 21, ~~claim 1~~, wherein said body includes a stiffness which varies along said length of said body between said first and second ends.

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9. (Original) The implant of claim 8, wherein said body is compressible from a first condition to a second condition and is resilient to reform from said second condition to said first condition to continuously distract the spinal column segment when attached thereto.

10. (Withdrawn) The implant of claim 9, wherein said body includes a number of reinforcing members embedded therein.

Claims 11-12 (Cancelled)

13. (Currently amended) The implant of claim 21, ~~claim 1~~, wherein said body includes a lower surface directed towards the spinal column segment when said body is attached thereto, said body further including an upper surface opposite said lower surface.

14. (Original) The implant of claim 13, wherein said body includes an enlarged mid-portion between said upper and lower surfaces.

15. (Original) The implant of claim 14, wherein said enlarged mid-portion includes a pyramidal shape between said first and second ends of said body.

Claims 16-17 (Cancelled)

18. (Currently amended) The implant of claim 21, ~~claim 1~~, wherein said length is sized for attachment to adjacent first and second vertebrae of the spinal column segment.

Claim 19 (Cancelled)

20. (Currently amended) The implant of claim 21, ~~claim 19~~, wherein said body includes a first portion on a first side of said medial axis and a second portion on a second side of said medial axis, said first and second portions each having a generally triangular shape.

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21. (Currently amended) ~~The implant of claim 19,~~ An implant for treatment of a curved spinal column segment, comprising:

a body including first and second ends along a longitudinal axis spaced by a length sized for attachment to respective ones of first and second vertebrae along surfaces of the first and second vertebrae comprising a concavely curved surface of the spinal column segment, said body being structured with said length further sized so that said body maintains separation of the first and second vertebrae when attached to the first and second vertebrae to distract the spinal column segment along the concavely curved surface toward a straightened configuration while permitting motion of the spinal column segment when attached to the first and second vertebrae, wherein said body further includes a medial axis orthogonally oriented to said longitudinal axis between said first and second ends, and said body tapers in width from said medial axis toward each of said first and second ends, and wherein said body includes a height between a lower surface and an upper surface thereof, said height tapering from said medial axis toward each of said first and second ends.

Claims 22-80 (Cancelled)

81. (Previously presented) An implant for treatment of a curved spinal column segment, comprising:

a body including first and second ends along a longitudinal axis, said first and second ends attachable to respective ones of first and second vertebrae along surfaces of the first and second vertebrae comprising a concavely curved surface of the spinal column segment, wherein said body further includes a medial axis orthogonally oriented to said longitudinal axis between said first and second ends, said body tapering in width from said medial axis toward each of said first and second ends and said body further includes a height between a lower surface and an upper surface thereof with said height tapering from said medial axis toward each of said first and second ends, whereby said body is structured to distract the spinal column segment along the

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concavely curved surface toward a straightened configuration while permitting motion of the spinal column segment when attached to the first and second vertebrae.

82. (Previously presented) The implant of claim 81, wherein said body includes a length along said longitudinal axis sized for attachment to adjacent first and second vertebrae of the spinal column segment.

83. (Previously presented) The implant of claim 81, wherein said body includes a first portion on a first side of said medial axis and a second portion on a second side of said medial axis, said first and second portions each having a generally triangular shape.

84. (Previously presented) The implant of claim 81, wherein said body is formable between a first condition and a second condition, said body being formed to said second condition for attachment to the first and second vertebrae and reforming toward said first condition from said second condition to continuously distract the first and second vertebrae when attached thereto.

85. (Previously presented) The implant of claim 84, wherein said body is formable by compressing said body between said first and second ends.

86. (Previously presented) The implant of claim 84, wherein said body comprises a shape memory material, said body being formable by changing a phase of said shape memory material.

87. (Previously presented) The implant of claim 81, wherein said first end of said body includes a first hole for receiving a first bone anchor engageable to the first vertebra and said second end includes a second hole for receiving a second bone anchor engageable to the second vertebra.

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88. (Previously presented) The implant of claim 81, wherein said body includes a stiffness which varies along a length of said body between said first and second ends.

89. (Previously presented) The implant of claim 88, wherein said body is compressible from a first condition to a second condition and is resilient to reform from said second condition to said first condition to continuously distract the spinal column segment when attached thereto.

90. (Currently amended) An implant for distracting first and second vertebrae of a spinal column segment, comprising:

a body with a length along a longitudinal axis, said body including a first condition and a second condition, said body being implantable between the first and second vertebrae in said second condition with said length extending between the first and second vertebrae, said body including means for reforming from said second condition to said first condition when implanted to exert a distractive force between the first and second vertebrae and permit relative motion between the first and second vertebrae, wherein said body includes an enlarged mid-portion and a stiffness that varies along said length and increases toward a medial axis of said body and said enlarged mid-portion includes a pyramidal shape.

91. (Currently amended) The implant of claim 90, wherein said enlarged mid-portion ~~thickness~~ tapers from a medial portion of said body toward opposite ends of said body.

92. (Previously presented) The implant of claim 90, wherein said body includes opposite ends attachable to the first and second vertebrae, each of the said opposite ends including an anchor hole.

93. (Previously presented) The implant of claim 90, wherein said body is formed to said second condition by compressing said body along said longitudinal axis and said means for reforming includes a resilient material comprising said body.

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94. (Previously presented) The implant of claim 90, wherein said body comprises a shape memory material and said means for reforming includes changing a phase of said shape memory material.

95. (Previously presented) An implant for distracting first and second vertebrae of a spinal column segment, comprising:

a body with a length along a longitudinal axis, said body including a first condition and a second condition, said body being implantable between the first and second vertebrae in said second condition with said length extending between the first and second vertebrae, said body including means for reforming from said second condition to said first condition when implanted to exert a distractive force between the first and second vertebrae and permit relative motion between the first and second vertebrae, wherein said body includes an enlarged mid-portion and a stiffness that varies along said length and increases toward a medial axis of said body, wherein said body further includes a lower surface positionable adjacent the first and second vertebrae and a base portion along said lower surface having a substantially constant thickness along said body, said body further including an upper portion extending from said base portion and including said enlarged mid-portion, said upper portion including a thickness between said base portion and an upper surface of said body, said thickness varying along a length of said upper portion of said body.

96. (Previously presented) The implant of claim 95, wherein said thickness tapers from a medial portion of said body toward opposite ends of said body.

97. (Previously presented) The implant of claim 95, wherein said enlarged mid-portion includes a pyramidal shape.

98. (Previously presented) The implant of claim 95, wherein said body includes a longitudinal axis along said length and said medial axis is orthogonal to said longitudinal axis, said body including a first portion on one side of said medial axis and a second portion on the other side of said medial axis, each of said first and second portions forming a generally

triangular shape with a base of each of said generally triangular shapes positioned adjacent one another along said medial axis.

99. (Previously presented) The implant of claim 98, wherein each of said first and second portions include an anchor hole opposite said base of said generally triangular shape thereof.

100. (Previously presented) The implant of claim 95, wherein said body is formed to said second condition by compressing said body along said longitudinal axis and said means for reforming includes a resilient material comprising said body.

101. (Previously presented) The implant of claim 95, wherein said body comprises a shape memory material and said means for reforming includes changing a phase of said shape memory material.